

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

CHRISTOPHER DAVIS,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
vs.	:	NO. 09-0739
	:	
STEPHEN B. MALITZKI, JR., <i>Individually and</i>	:	
<i>in his Official Capacity as a Detective in the</i>	:	
<i>Bethlehem Township Police Department,</i>	:	
BETHLEHEM TOWNSHIP and	:	
JOHN DOES 1-10,	:	
Defendants.	:	
	:	

---

**ORDER**

**AND NOW**, this 20th day of January, 2012, upon consideration of the Motion for Summary Judgment of Defendant, Stephen B. Malitzki, Jr., Plaintiff's Response, the November 17, 2011 Opinion of the United States Court of Appeals for the Third Circuit, the parties' Supplemental Briefs, and for the reasons outlined in the accompanying Memorandum,

**IT IS ORDERED** that the Motion is **GRANTED** as to Plaintiff's remaining malicious prosecution (Count I) and selective prosecution (Count II) claims in the Third Amended Complaint.

**IT IS FURTHER ORDERED** that the Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Henry S. Perkin  
HENRY S. PERKIN,  
United States Magistrate Judge